

ORAL ARGUMENT SCHEDULED FOR SEPTEMBER 16, 2024
Nos. 24-1113, 24-1130, 24-1183

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TIKTOK INC. AND BYTEDANCE LTD.,

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of the
United States,

Respondent.

On Petitions for Review of Constitutionality of the
Protecting Americans from Foreign Adversary Controlled Applications Act

**NOTICE OF INTENT OF FORMER CHAIRMAN OF THE FEDERAL
COMMUNICATIONS COMMISSION AJIT V. PAI AND FORMER
ASSISTANT SECRETARY OF THE TREASURY FOR INVESTMENT
SECURITY THOMAS P. FEDDO TO FILE AN *AMICUS CURIAE* BRIEF
IN SUPPORT OF RESPONDENT**

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August 2, 2024

Counsel for Amici Curiae

BRIAN FIREBAUGH, et al.,

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

BASED Politics Inc.,

Petitioner,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

NOTICE OF INTENT TO FILE *AMICUS* BRIEF

Pursuant to Fed. R. App. P. 29(a) and D.C. Circuit Rule 29(b), *Amici Curiae* former Chairman of the Federal Communications Commission Ajit V. Pai and former Assistant Secretary of the Treasury for Investment Security, who oversaw the interagency Committee on Foreign Investment in the United States (“CFIUS”) Thomas P. Feddo, represent that they intend to participate in this case as *Amici Curiae*. Petitioners and Respondent have consented to the filing of this *amicus curiae* brief.

Amici Curiae are former high-ranking government officials who led federal regulatory entities with responsibility for reviewing foreign corporate ownership structures of companies operating within the United States. Overseeing these programs made *Amici Curiae* acutely aware of the national security risks posed by China’s corporate control of companies operating in the United States, including TikTok and other companies in the communications ecosystem. Based on their significant experience, *Amici Curiae* aim to highlight the legitimate public policy goals furthered by the Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. No. 118-50, div. H, 138 Stat. 895, 955–60 (2024) (“Divestiture Act”) under review in this Court. They provide context on similar government programs rooted in the same goal: safeguarding American citizens.

Amici Curiae are filing this Notice “as promptly as practicable.” See D.C. Circuit Rule 29(b).

Amici Curiae intend to file their brief no later than August 2, 2024 in accordance with D.C. Circuit Rule 29(c) and the Court’s June 18, 2024 Order.

Amici Curiae certify that a separate *amicus* brief is necessary. See D.C. Circuit Rule 29(d). The forthcoming Brief of *Amici Curiae* provides the unique perspective of former high-ranking government officials on the significance of and legitimate policy goals behind the law under review.

August 2, 2024

/s/ Thomas M. Johnson, Jr.

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CERTIFICATE OF SERVICE

I certify that on August 2, 2024, a true and correct copy of this Notice of Intent was filed and served electronically upon counsel of record registered with the Court's CM/ECF system.

/s/ Thomas M. Johnson, Jr.
Thomas M. Johnson, Jr.